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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,594	07/30/2003	Athena Christodoulou	300201984-2	6223

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

MAIL DATE	DELIVERY MODE
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05/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/629,594

Applicant(s)

CHRISTODOULOU ET. AL.

Examiner

Phuoc H. Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/11/04, 5/18/06, 7/31/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because there is a label "Fig. 3" right below the abstract page. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 15 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 15 cites a webpage including a plurality of links with corresponding functions. In order for claims to be statutory, claims must either include a practical/physical application or a concrete, useful, and tangible result. However, claim 15 merely disclose a webpage without further disclosing a useful and tangible result. A

webpage without a storage medium is just software script/code. Therefore, claim 15 is directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Feng et al. (U.S. Patent Application Publication No. 2001/0025313).

Re claim 1, Feng et al. disclose in Figures 1-3 a method of providing a sub-page of a website to a requesting client (e.g. abstract, Figure 1 as standard Internet protocol, and paragraphs [0002-0006] comprising the steps of: sending to the client (e.g. from original site 200 to client 100 in Figure 1), with a copy of a first web page (e.g. paragraph [0032] as initial page of the original site 200 in Figure 1), a plurality of links (e.g. paragraphs [0038] wherein www{1-3}.ibm.com are three links to ibm site), each of which points to an address within the Internet of a server on which a copy of the sub-page is hosted (e.g. paragraph [0038]); actuating at least two of the links simultaneously (e.g. components 204-1 to 204-n in Figure 2 and paragraphs [0035, 0038] as examples of multi-threads connection); on the basis of a predetermined criterion (e.g. paragraph [0037]), selecting one of the actuated links, and terminating at least one of the others (e.g.

paragraphs [0015-0018] wherein the site with shortest connection delay would be selected for communication).

Re claim 2, Feng et al. further disclose in Figures 1-3 the predetermined criterion is the greatest progress, after a specified interval of time following simultaneous actuation of the at least two links (e.g. paragraph [0033]), in establishing connection with a server on which a copy of the sub-page is hosted (e.g. paragraph [0038]).

Re claim 3, Feng et al. further disclose in Figures 1-3 the predetermined criterion is attainment of a specified milestone in establishing a connection with a server on which a copy of the sub-page is hosted (e.g. paragraphs [0035-0038]).

Re claim 4, Feng et al. further disclose in Figures 1-3 all of the plurality of links are actuated simultaneously (e.g. paragraph [0033]).

Re claim 5, Feng et al. further disclose in Figures 1-3 the step of displaying an alias for all actuated links at the client (e.g. paragraphs [0002-0004] as typical display webpage for ease).

Re claim 6, Feng et al. further disclose in Figures 1-3 the alias is displayed on a graphical user interface of a program running on the client which is adapted to enable user navigation of the internet (e.g. paragraphs [0002-0004] as typical display webpage for ease).

Re claim 7, Feng et al. further disclose in Figures 1-3 the alias displayed is the same for each of the links actuated (e.g. since it point to the same page as seen in paragraph [0038] wherein the site is www.ibm.com).

Re claim 8, it has similar limitations cited in claim 1. Thus, claim 8 is also rejected under the same rationale as cited in the rejection of rejected claim 1.

Re claim 9, it has similar limitations cited in claim 2. Thus, claim 9 is also rejected under the same rationale as cited in the rejection of rejected claim 2.

Re claim 10, it has similar limitations cited in claim 4. Thus, claim 10 is also rejected under the same rationale as cited in the rejection of rejected claim 4.

Re claim 11, it has similar limitations cited in claim 5. Thus, claim 11 is also rejected under the same rationale as cited in the rejection of rejected claim 5.

Re claim 12, Feng et al. further disclose in Figures 1-3 the alias is an address of a further server adapted to translate the alias to an address of a server on which a copy of the sub-page is hosted (e.g. paragraphs [0002-0004]).

Re claim 13, it has similar limitations cited in claim 7. Thus, claim 13 is also rejected under the same rationale as cited in the rejection of rejected claim 7.

Re claim 14, it has similar limitations cited in claim 8. Thus, claim 14 is also rejected under the same rationale as cited in the rejection of rejected claim 8.

Re claim 15, it has similar limitations cited in claim 8. Thus, claim 15 is also rejected under the same rationale as cited in the rejection of rejected claim 8.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. U.S. Patent No. 6,754,699

- b. U.S. Patent No. 6,751,777
- c. U.S. Patent No. 6,233,607
- d. U.S. Patent No. 6,959,333
- e. U.S. Patent No. 7,058,706
- f. U.S. Patent No. 6,112,239

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phuoc H Nguyen
Examiner
Art Unit 2143

